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10 Attorneys for Defendant
11 **MUTEE AL-GHAFFAAR**

12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 vs.

17 JORDAN HIGGINS A/K/A JORDAN MOORE,

18 Defendant.

Case No. 11-CR-905 SBA

MODIFIED
STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE SENTENCING
~~TO DECEMBER 16, 2015~~

19 The United States of America, by and through its attorney of record, and defendant
20 Jordan Higgins (“defendant”), by and through his attorney of record, jointly request that the
21 scheduled court date of November 12, 2015, be vacated and that this matter be continued to
22 December 16, 2015, at 10:00 a.m. to enable the government and the defense to review the
23 Amended Presentence Investigation Report (PSR) dated November 4, 2015, (ECF Dkt. No.
24 179) and draft and submit revised sentencing memoranda. The parties hereby stipulate as
25 follows:

26 1. On November 4, 2015, the United States Probation Office (USPO) submitted an
27 amended PSR recommending a sentence of 78 months with “credit for time served since
28 [defendant’s] arrest on August 8, 2011.” ECF Dkt. No. 179, *Sentencing Recommendation* p. 4.

2. The recommendation in the amended PSR differs materially from the original recommendation and the parties require time to prepare and file revised sentencing memoranda.

3. For the reasons stated above, the parties stipulate and agree that this matter should be continued to December 16, 2015, at 10:00 a.m., and that the failure to grant such a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

DATED: November 6, 2015

Respectfully submitted,

BRIAN STRETCH
Acting United States Attorney
/s/

BRIAN LEWIS
Assistant United States Attorney
/s/

RICHARD HULLINGER
GARRICK S. LEW
Attorneys for Defendant

ORDER

Upon the parties' stipulation, and GOOD CAUSE appearing, IT IS HEREBY ORDERED that the court date of November 12, 2015, shall be vacated and that this matter shall be continued to December ⁰⁹~~16~~, 2015, at 10:00 a.m. for sentencing. The Court finds that failure to grant the continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

IT IS SO ORDERED.

Dated: November 6, 2015

HONORABLE JUDGE SAUNDRA B. ARMSTRONG
UNITED STATES DISTRICT COURT

